

Ordinance No. 1587 - Directing one-time street SDC reimbursement to fund paving and award contract

City Council

Ordinance or Resolution: Ordinance

Attachments 

[Ord. 1587](#)

ORDINANCE NO. 1587 WEST LINN, OREGON

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST LINN AUTHORIZING A CASH REFUND FOR A PORTION OF SYSTEMS DEVELOPMENT FEES ISSUED TO BLACKHAWK, LLC AND WEST LINN CORPORATE PARK, LLC TO FUND PARKER DEVELOPMENT NORTHWEST'S LIABILITY FOR LE CHEVALIER PAVING

WHEREAS, the City of West Linn Municipal Code Section 4.455(5)c provides that a credit is "not refundable for cash or any other thing of value"; and

WHEREAS, the City has a desire to pave Le Chevalier to address an ongoing concern of residents of that area, and

WHEREAS, Parker Development Northwest does not have resources available to complete its portion of the obligation for paving Le Chevalier other than to use Street SDC credits that it owns, and

WHEREAS, resources exist in the Streets systems development account of the City to fund redemption of Parker Development Northwest's Street SDC credits to apply to its paving liability in the Le Chevalier subdivision; now, therefore,

THE CITY OF WEST LINN ORDAINS AS FOLLOWS:

Section 1: The West Linn City Council authorizes a one time refund of Streets systems development fees in an amount not to exceed \$39,079.88 to fund Parker Development Northwest's liability for paving the final lift in the Le Chevalier subdivision.

Section 2: Any portion of the refunded Streets systems development fees remaining after the paving liability is fully funded will be returned to Parker Development Northwest in the form of a Streets SDC Certificate with an expiration date of April 28, 2018 (the date of one of the credits used in the transaction).

Section 3: The West Linn City Council finds that this is a unique situation because of the economic climate and the need to complete the paving of Le Chevalier, and that this action by the City Council shall not act as an implied amendment of the West Linn Municipal Code Chapter 4.400 through 4.485 Systems Development Charges.

PASSED AND APPROVED this 13th day of July, 2009.

- [City Council](#)

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